

ESTTA Tracking number: **ESTTA328471**

Filing date: **01/25/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177234
Party	Defendant Alaris Group, Inc., The
Correspondence Address	Kristine M. Boylan Merchant & Gould P.C. 80 South Eighth Street, Ste. 3200 Minneapolis, MN 55402-2215 UNITED STATES KBoylan@merchantgould.com
Submission	Other Motions/Papers
Filer's Name	Kristine M. Boylan
Filer's e-mail	kboylan@merchantgould.com, aavery@merchantgould.com
Signature	/Kristine M. Boylan/
Date	01/25/2010
Attachments	2010 01 25 Ltr to TTAB re filing.PDF (2 pages)(46916 bytes)

Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-gould.com

A Professional Corporation

Direct Contact

612.336.4742
echad@merchantgould.com

January 25, 2010

Trademark Trial & Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, VA 22313-1451

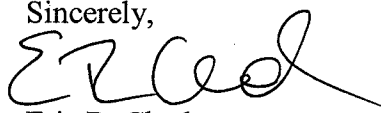
Re: Your Ref.: 91177234
Our Ref.: M&G 16368.0001USTA

Dear Sir or Madame:

This letter is to inform you that the Trial Brief filed on behalf of The Alaris Group in matter number 91177234 was incorrectly filed when it was due. The brief, which should have been filed in this file with the title "Applicant's Trial Brief was inadvertently filed in matter number 92048172 with the title "Defendant's Notice of Reliance."

Please advise us if you have any further questions.


Sincerely,



Eric R. Chad

CERTIFICATE OF FILING


I hereby certify that this correspondence to the TTAB is being filed electronically with the United States Patent and Trademark Office's Electronic System for Trademark Trial & Appeals (ESTTA) on this 25th day of January, 2010.


Amanda Avery

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing correspondence to the TTAB has been served on counsel for Opposer by first class mail, postage prepaid, this 25th day of January 2010 as follows:

Joseph R. Dreitler
Mary True
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291


Amanda Avery